

PPSB Grievance After Report for June 19, 2013 8:00 am

Case Number	Complaint Against	Allegation(s)	Grievance Committee Recommendation	Board Action
2012-PPS-041	Kenneth Wayne Berg Garda CL East, Inc. 4300-A N Lake Ct Charlotte, NC 28216-0000	Violation of G.S. 74C-13(a), 12 NCAC 07D .0806 - Failing to properly register armed guards. Allowing armed guards to carry a firearm during the course of performing their duties without a firearms permit issued by the Board.	Mr. Kenneth Wayne Berg and Garda CL East, Inc., enter into and pay a consent in the amount of \$6,793.20 for registration violations. Submit a corrective action plan that addresses registration deficiencies and who will be responsible for registering employees. Staff is to conduct a follow up audit for the last six months of 2013.	Accepted
2012-PPS-051	James Daughtry Mabry Jr. Foresight Consultants, Inc. P. O. Box 2565 Kinston, NC 28502-0000	Violation of G.S. 74C-12(a) (7), 12 NCAC 07D.0404 - Willfully failed or refused to render to a client service as agreed between the parties and for which compensation has been paid or tendered in accordance with the agreement of the parties. Failing to make and offer to the client a written report containing the findings and details of the investigation within 30 days after the completion of the investigation for which the client has paid the investigator for the services.	Case be dismissed - No violation of G.S. 74C.	Accepted

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2012-PPS-052	Abel Montes de Oca Garda CL East, Inc. 4300-A N Lake Ct Charlotte, NC 28216-0000	Violation of G.S. 74C-12(a)(30), 12 NCAC 07D.0109(a)(c) - Failed to properly make any disclosure to the Board or provide documents or information required by G.S. 74C. Failed to have records available for inspection between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday. Failed to maintain records for three years in violation of 12 NCAC 07D .0109(c).	Issue a letter of reprimand to Mr. Abel Montes de Oca and Garda CL East, Inc., for failing to have records available for inspection. Submit a corrective action plan addressing the retention of records.	Accepted
2012-PPS-053	JayJay Miller Landmark Security, Inc. 5200 Park Rd Ste 128 Charlotte, NC 28209-0000	Violation of G.S. 74C-11(a) - Failing to properly register unarmed guards.	Mr. JayJay Miller and Landmark Security, Inc. enter into and pay a consent in the amount of \$4,096.32 for registration violations. The consent is to be paid in three monthly installments.	Accepted
2013-PPS-009	Pamela Webb Mayfield United Security PO Box 2551 Morganton, NC 28680-0000	Violation of G.S. 74C-11(a) - Failing to properly register unarmed guards.	Ms. Pamela Webb Mayfield and United Security, enter into a consent in the amount of \$3,855.60 for registration violations.	Accepted

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Case Number	Complaint Against	Allegation(s)	Grievance Committee Recommendation	Board Action
2013-PPS-014	James Vernon Gilchrist Lighthouse Investigative Services 612 Tisbury Ln Wilmington, NC 28412-0000	Violation of G.S. 74C-12(a) (6) (25) - Engaged in or permitted any employee to engage in a private protective services profession when not lawfully in possession of a valid license issued by the Board. Demonstrated intemperate habits or a lack of good moral character. The acts under G.S. 74C-8(d)(2) are prima facie evidence of the same under this subdivision.	Issue a letter of warning to Mr. James Vernon Gilchrist and Lighthouse Investigative Services for divulging information acquired by the license holder except at the direction of employer or client for whom the information was obtained.	Accepted
2013-PPS-016	Melanie Lynne Keene McMillen Keene Investigative Services, Inc. P. O. Box 16302 Wilmington, NC 28408-0000	Violation of G.S. 74C-12(a) (23) (25) - Divulged to any person, except as required by law, any information acquired by the license holder except at the direction of the employer or client for whom the information was obtained. Demonstrated intemperate habits or a lack of good moral character. The acts under G.S. 74C-8(d)(2) are prima facie evidence of the same under this subdivision.	Case be dismissed - No violation of G.S. 74C.	Accepted